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ACTION IO-16

INFO	LOG-00	AF-01	AID-01	CIAE-00	SMEC-00	OASY-00	DODE-00
	DOEE-00	EB-01	EUR-01	H-01	TEDE-00	INR-00	LAB-01
	L-01	ADS-00	NEA-01	NSAE-00	NSCE-00	OIC-02	OMB-01
	PA-01	PM-00	PRS-01	P-01	SB-00	SCT-03	SNP-00
	SP-00	SR-00	SS-00	STR-01	TRSE-00	T-00	USIE-00
	PMB-00	PRME-01	DRL-09	G-00		/044W	
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FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC IMMEDIATE 8576
AMEMBASSY THE HAGUE IMMEDIATE
INFO USMISSION USUN NEW YORK PRIORITY
AMEMBASSY MADRID PRIORITY
AMEMBASSY LONDON PRIORITY
USMISSION GENEVA PRIORITY
UNSC COLLECTIVE PRIORITY
AMEMBASSY TUNIS PRIORITY
AMEMBASSY DAR ES SALAAM PRIORITY
AMEMBASSY KAMPALA PRIORITY
AMEMBASSY LAGOS PRIORITY
AMEMBASSY DJIBOUTI PRIORITY
AMEMBASSY PRETORIA PRIORITY
AMEMBASSY ADDIS ABABA PRIORITY
AMEMBASSY BUJUMBURA PRIORITY
AMEMBASSY PARIS PRIORITY

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DEPT PASS TO L - CRYSTAL NIX, L/UNA - EVAN BLOOM AND
USUN/W - DAVID SCHEFFER

E.O. 12356: DECL:OADR
TAGS: PREL, PGOV, PHUM, BE, RW, UN
SUBJECT: HUMAN RIGHTS TRIBUNAL - RWANDA

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: ARCHIE M BOLSTER
DATE/CASE ID: 18 MAR 2004 200303979

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REF: (A) STATE 202705; (B) BRUSSELS 8330

1. CONFIDENTIAL - ENTIRE TEXT.

2. THIS IS AN ACTION MESSAGE. ACTION REQUESTED IN PARA 4 BELOW.

2. POLCOUNS SPOKE TO LODE WILLEMS, CHEF DE CABINET TO BELGIAN FONMIN CLAES, 7/29 TO CONVEY MESSAGE IN REF A. WILLEMS SAID THAT HE WOULD ASK HIS MFA CABINET COLLEAGUE PAUL RIETJENS, WHO IS CHARGED WITH ADVISING THE FONMIN ON LEGAL AND HUMAN RIGHTS AFFAIRS, TO GO TO THE HAGUE AUGUST 5 TO MEET WITH PRINCIPAL DEPUTY LEGAL ADVISER MICHAEL J. MATHESON TO DISCUSS USG THINKING ON A RWANDA WAR CRIMES TRIBUNAL.

3. ACTION REQUESTED: RIETJENS SUBSEQUENTLY TELEPHONED POLCOUNS TO OFFER TO MEET WITH MATHESON ON AUGUST 5 IN THE HAGUE AT ANY TIME CONVENIENT FOR MATHESON. PLEASE INFORM EMBASSY BRUSSELS OF TIME AND PLACE SO THAT WE CAN INFORM RIETJENS.

4. FOR WASHINGTON'S INFORMATION, EMBASSY BRUSSELS HAD CONFIDENTIAL

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NOTED PRESS REPORTS HERE THAT A GROUP OF RWANDAN CITIZENS HAVE FILED A LAWSUIT AGAINST ALLEGED PERPETRATORS OF THE GENOCIDE IN RWANDA, THROUGH LOCAL LAWYERS ERIC GILLET AND MICHEL GRAINDORGE. POLCOUNS ASKED RIETJENS ABOUT THAT SUIT AND WHETHER THE BELGIAN COURTS WERE LIKELY TO ACCEPT IT. RIETJENS SAID HE WAS STILL TRYING TO FIND OUT MORE ABOUT LEGAL ARGUMENTS BEING USED IN THE SUIT. HE SAID BELGIUM WAS A PARTY TO THE GENEVA CONVENTION ON WAR CRIMES AND TO ITS PROTOCOLS. BELGIUM HAD PASSED LEGISLATION TO MAKE ITS TRIBUNALS COMPETENT TO DEAL WITH WAR CRIMES, EVEN IF COMMITTED BY FOREIGNERS IN FOREIGN COUNTRIES. RIETJENS, HOWEVER, THOUGHT THAT THE PERPETRATORS WOULD HAVE TO BE ON BELGIAN TERRITORY FOR SUCH LEGISLATION TO BE APPLIED. HE UNDERSTOOD THE PLAINTIFFS AND THEIR LAWYERS WERE ARGUING THAT THE SUIT COULD BE BROUGHT EVEN IF THE DEFENDANTS WERE NOT PRESENT IN BELGIUM.

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